

REMARKS

In the Office Action mailed on September 9, 2003, the Examiner: (1) objected to claim 13 because of informalities; and (2) rejected claims 1-42 under 35 U.S.C. § 103(a) as being unpatentable over Borodow et al. (U.S. Patent Application Publication 2002/0101979A1) ("Borodow").

By this Amendment, Applicants amend claim 13 to correct a typographical error and traverse the rejection of claims 1-42 under 35 U.S.C. § 103(a) for at least the reasons below. Applicants further add new claims 43-55.

Applicants' representative thank Examiner Susan C. Alimenti for the telephone interview on December 2, 2003. As explained at the telephone interview, regarding the 35 U.S.C. § 103(a) rejection of claims 1-42, Applicants respectfully submit that Borodow is not prior art with respect to the claims pending in this application.

Borodow was filed on July 9, 2001, after the March 30, 2001, filing date of the present application. To the extent, the Examiner relies on a priority claim of Borodow to previously filed related applications, Applicants respectfully note that the subject matter that the Examiner relies on to reject the pending claims is not described in the previous applications from which Borodow claims priority.

Specifically, the Examiner relies on paragraphs 10, 42, 44, 57, and 59 of Borodow to reject the pending claims. None of these paragraphs is, however, disclosed in any of the related applications from which Borodow claims priority.

In this respect, Applicants note that Borodow claims priority from two related applications: (1) U.S. Pat. Appl. No. 09/638,274 ("the '274 application"), filed August 14, 2000, and (2) U.S. Pat. Appl. No. 09/798,226 ("the '226 application"), filed March 2, 2001. The '274 application is directed to a call center and does not disclose any of the

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subject matter that the Examiner relies on to reject claims 1-42. Likewise, the '226 application, which is directed to a call center administration manager, does not disclose any of the subject matter that the Examiner relies on to reject claims 1-42. Since the subject matter of Borodow that the Examiner relies on to reject claims 1-42 has an effective filing date of July 9, 2001, which is after the filing date of the current application, Borodow is not an effective prior art reference with respect to claims 1-42. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 1-42 under 35 U.S.C. § 103(a) based on Borodow.

Further, the Examiner takes Official Notice concerning claims 18, 19, 39, and 40 stating that it would have been obvious to one of ordinary skill in the art to "make of record whether the customer has a credit card or a checking account" because "having such financial information about a customer on record is known to aid in the purchasing process." (September 9, 2003, Office Action, page 5, ¶ 8). Applicants respectfully disagree with the Examiner's reasoning. Each of these claims relates to using customer information (such as, for example, whether the customer has a credit card or a checking account) for computing a customer prioritization score based on such customer information. Thus, Applicants respectfully submit that having such financial information about a customer to aid in the purchasing process does not provide any suggestion or motivation to one of skilled in the art to use such information in computing a customer prioritization score, as recited in claims 18, 19, 39, and 40.

Newly added claims 43-55 are also deemed patentable for at least the reasons given above with respect to claims 1-42. No new matter has been added. Support for

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the newly added claims 43-55 appears at least in paragraph 23, on page 10 of the Specification.

Finally, the Office Action contains a number of statements reflecting characterizations of the claims and/or the related art. Regardless of whether any such statements are addressed by Applicants' remarks above, Applicants decline to automatically subscribe to any of these statements or characterizations made by the Examiner in the Office Action.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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